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recherche

Stott, Michael John  
GlaxoSmithKline  
Corporate Intellectual Property  
Two New Horizons Court  
Brentford, Middlesex TW8 9EP  
GRANDE BRETAGNE

Datum/Date

19.10.2001

Zeichen/Ref./Réf.

PU3562/EPw

Anmeldung Nr./Application No./Demande n°/Patent Nr./Patent No./Brevet n°  
99946925.7-2116/US9921092

Anmelder/Applicant/Demandeur/Patentinhaber/Proprietor/Titulaire  
GLAXO GROUP LIMITED

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24 OCT 2001

## COMMUNICATION

The European Patent Office herewith transmits the partial European search report under Rule 46(1) EPC relating to the above-mentioned European patent application.

Copies of the documents cited in the search report are enclosed.

The applicant's attention is drawn to the following:

The search Division informs the applicant that if the European search report is also to cover inventions other than the invention first mentioned in the claims, a further search fee must be paid for each of these inventions, within ONE MONTH after notification of this communication.

If the application has been filed up to 30 June 1999, the search fee in force before 01 July 1999 (EUR 869,-) or the equivalent applicable on the date of payment is payable.

**This applies also to the search fees requested under Rule 46(1) EPC.**

See also OJ EPO 06/1999, 405.

- ☐ The abstract was modified by the Search Division and the definitive text is attached to the present communication.
- ☐ Additional set(s) of copies of the documents cited in the European search report is (are) enclosed as well.

Marka-Dienst

23 OCT 2001

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AGC/1001

Note to users of the automatic debiting procedure:

Unless the EPO receives prior instructions to the contrary, the search fee(s) will be debited on the last day of the period for payment. For further details see the automatic debiting procedure, Supplement to OJ EPO 02/1999.

REGISTERED LETTER

EPO Form 1507.2 (07.99)

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# REMINDER:

**PLEASE REVIEW  
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ANY RELEVANT  
PENDING U.S. PATENT  
APPLICATION**



European Patent  
Office

**SUPPLEMENTARY  
PARTIAL EUROPEAN SEARCH REPORT**  
under Rule 46, paragraph 1 of the European Patent  
Convention

Application Number

EP 99 94 6925

DOCUMENTS CONSIDERED TO BE RELEVANT			
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
X	US 5 124 247 A (ANSORGE WILHELM) 23 June 1992 (1992-06-23) * column 5, line 4 - line 7 *	1-5	C12Q1/44 C12Q1/68 C12P19/34 C07H21/04 C12N9/22
X	STEGEMANN J ET AL: "AUTOMATED DNA SEQUENCING ON ULTRATHIN SLAB GELS" METHODS IN MOLECULAR AND CELLULAR BIOLOGY, NEW YORK, NY, US, vol. 2, no. 4, 1991, pages 182-184, XP000430660 ISSN: 0898-7750 * page 182, left-hand column, line 9 - line 14 * * page 184, left-hand column, line 22 - line 24 *	1-5	
			TECHNICAL FIELDS SEARCHED (Int.Cl.7)
			C12Q
<b>LACK OF UNITY OF INVENTION</b>			
The Search Division considers that the present European patent application does not comply with the requirements of unity of invention and relates to several inventions or groups of inventions, namely:			
see sheet B			
The present partial European search report has been drawn up for those parts of the European patent application which relate to the invention first mentioned in the claims.			
Place of search <b>MUNICH</b>		Date of completion of the search <b>20 September 2001</b>	Examiner <b>Ulbrecht, M</b>
CATEGORY OF CITED DOCUMENTS		T : theory or principle underlying the invention E : earlier patent document, but published on, or after the filing date D : document cited in the application L : document cited for other reasons & : member of the same patent family, corresponding document	
X : particularly relevant if taken alone Y : particularly relevant if combined with another document of the same category A : technological background O : non-written disclosure P : intermediate document			

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EPO FORM 1503 03.82 (P04C23)



DOCUMENTS CONSIDERED TO BE RELEVANT			CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	
X	STEGEMANN J ET AL: "HIGH SPEED DNA SEQUENCING ON A COMMERCIAL AUTOMATED SEQUENCER USING 0.3 MM THIN GELS" METHODS IN MOLECULAR AND CELLULAR BIOLOGY, NEW YORK, NY, US, vol. 2, no. 6, 1991, pages 292-293, XP001021346 ISSN: 0898-7750 * page 292, left-hand column, line 10 - line 13 * * figure 1 * * page 292, right-hand column, line 16 - line 22 * * page 293, left-hand column, line 6 - line 10 *	1-5	
X	ANSORGE, W., ROSENTHAL, A., SPORAT, B., SCHWAGER, C., STEGMANN, J., VOSS, H.: "Non-radioactive automated sequencing of oligonucleotides by chemical degradation." NUCLEIC ACIDS RESEARCH, vol. 16, no. 5, 25 March 1988 (1988-03-25), pages 2203-2206, XP001018977 * abstract * * page 2205, line 2 - line 4 *	1-5	TECHNICAL FIELDS SEARCHED (Int.Cl.7)
X	SWERDLOW H ET AL: "STABILITY OF CAPILLARY GELS FOR AUTOMATED SEQUENCING OF DNA" ELECTROPHORESIS, WEINHEIM, DE, vol. 13, no. 8, 1992, pages 475-483, XP000617209 ISSN: 0173-0835 * abstract * * page 82, left-hand column, paragraph 2 * * figure 9 *	1-5	



DOCUMENTS CONSIDERED TO BE RELEVANT			CLASSIFICATION OF THE APPLICATION (Int.Cl.7)
Category	Citation of document with indication, where appropriate, of relevant passages	Relevant to claim	
X	SWERDLOW H ET AL.: "Reloading and stability of polyacrylamide slab gels for automated DNA sequencing." BIOTECHNIQUES, vol. 16, no. 4, April 1994 (1994-04), pages 684-693, XP002177643 * abstract * * page 685, left-hand column, line 55 - line 58 * * page 685, middle column, line 28 - line 33 * * figure 1 *	1-5	
A	WO 96 30545 A (APPLIED GENETICS INC) 3 October 1996 (1996-10-03) * page 11, line 12 - line 16 *	1-5	TECHNICAL FIELDS SEARCHED (Int.Cl.7)
A	DECORTE R ET AL: "Evaluation of the ALF DNA sequencer for high-speed sizing of short tandem repeat alleles." ELECTROPHORESIS, vol. 17, no. 10, October 1996 (1996-10), pages 1542-1549, XP001018048 * abstract * * page 1543, right-hand column, line 29 - line 30 * * page 1545, left-hand column, line 27 - line 29 * * page 1545, right-hand column, line 20 *	1-5	



The Search Division considers that the present European patent application does not comply with the requirements of unity of invention and relates to several inventions or groups of inventions, namely:

1. Claims: 1-5 (complete)

Methods of analysing sequencing reaction products comprising reloading of sequencing gels or capillaries.

2. Claims: 6-13 (complete)

Methods and kits for generating sequencing reaction products comprising amplification and restriction of the sequencing template.

The first group of inventions relates to methods of analysing sequencing reaction products aimed at determining the sequence of a nucleic acid, whereas the second group of inventions relates to methods and kits for generating sequencing reaction products aimed at determining the sequence of a nucleic acid. The common concept shared by the two groups of inventions is the determination of nucleic acid sequences which is a standard technique in the field of the inventions and therefore not novel. Moreover, various documents describe methods for determining nucleic acid sequences falling within the scope of claim 1, which therefore lacks novelty (cf. first 6 documents cited in the supplementary partial European Search Report). Consequently, there is a lack of unity, and different inventions, not belonging to a common concept are formulated as different subjects.

**ANNEX TO THE EUROPEAN SEARCH REPORT  
ON EUROPEAN PATENT APPLICATION NO.**

EP 99 94 6925

This annex lists the patent family members relating to the patent documents cited in the above-mentioned European search report. The members are as contained in the European Patent Office EDP file on  
The European Patent Office is in no way liable for these particulars which are merely given for the purpose of information.

20-09-2001

Patent document cited in search report		Publication date	Patent family member(s)		Publication date
US 5124247	A	23-06-1992	DE	3841565 A	28-06-1990
WO 9630545	A	03-10-1996	AU	5296496 A	16-10-1996
			US	5976798 A	02-11-1999

**CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)**Applicant(s): **Daniel Keith BURNS et al.**

Docket No.

**PU3562USw**

Serial No.

**09/787,323**

Filing Date

**March 16, 2001**

Examiner

**Johannsen, Diana B.**

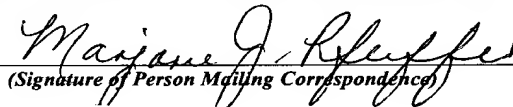
Group Art Unit

**1634**Invention: **MULTIPLE SEQUENCING METHOD****JUL 24 2003**

I hereby certify that the following correspondence:

**Request for Continued Examination (RCE) and accompanying documents***(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

**July 24, 2003***(Date)***Marjorie J. Pfeiffer***(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***EV330916235US****Note: Each paper must have its own certificate of mailing.**